

**LUMPKIN COUNTY
BOARD OF COMMISSIONERS
AGENDA**

Dahlonega City Hall
465 Riley Road
Dahlonega, Georgia
January 19, 2006
6:00 P.M.

- I. CALL TO ORDER** Chairman Gooch
- II. INVOCATION**
- III. APPROVAL OF AGENDA**
- IV. REQUEST FOR SIGNAGE PERMIT**
- Maxwell Properties, Inc.
- V. APPROVAL OF MINUTES**
- November 17, 2005 Regular Meeting
 - November 23, 2005 Called Meeting
 - December 15, 2005 Regular Meeting
 - December 21, 2005 Called Meeting
 - January 17, 2006 Called Meeting
- VI. REPORTS**
- Department Heads
 - Elected Officials
- VII. OLD BUSINESS**
- Riverflow Property Owners Association – Request for Road Acceptance
 - Lumpkin County Emergency Med. – Ballot for Accepting or Rejecting Joint Chapter 11 Plan of Reorganization of the Debtors (CLC of Dahlonega LLC d/b/a Gold City CLC)
 - Finance – 2005 Revenue/Expense Totals Presented as Unaudited
 - GIS Department – Request for 2006 Imagery/Contour and Staff Position
 - Planning – Request for New Position
 - Magistrate – Request for Judge Position Part-time to Full-time and Computer Software Program
 - Sheriff – Request
- VIII. NEW BUSINESS**
- Election of Lumpkin County Board of Commissioners Vice-Chair

**LUMPKIN COUNTY
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IX. RESOLUTIONS

- **2006-03**
Ratify and Approve the Mileage Rate for Reimbursement for Approved Travel by Private Vehicle Under the Provision of the Lumpkin County Travel Policy
- **2006-04**
Provide for Workers' Compensation Insurance Coverage for Elected Officials to Repeal Resolutions or Parts of Resolutions in Conflict; and for Other Purposes
- **2006-05**
Provide for Workers' Compensation Insurance Coverage for Volunteer Fire Fighters and Volunteer Emergency/Rescue Workers; to Repeal Resolutions or Parts of Resolutions in Conflict; and for Other Purposes
- **2005-06**
Approve Participation in the National Incident Management System and to Implement the United Command System as Established by O.C.G.A. § 38-3-57
- **2006-07**
To Establish the 2006 Holiday Schedule for Lumpkin County Government Operations
- **2006-08**
Endorsing House Bill 962, the Fair Annexation Act
- **2006-09**
Qualify Fee's for Board of Commissioners and Board of Education

X. CONTRACTS

- Development Authority of Lumpkin County – Intergovernmental agreement for services
- Greater Georgia Life Insurance Company – Amendment to contract to provide \$30,000.00 Group Life Insurance to full-time county employees.
- Jimmy C. Woods – Lumpkin County-Wimpy Airport Tie Down #9 Agreement
- Ray Koehn – Lumpkin County-Wimpy Airport Tie Down #5 Agreement
- Lee Ann Roy, Independent Writer – Annual Newsletter Project
- J & B Enterprises (Louver Shop) – Amendment to Sales Agreement
- Classic Cleaners – Lease Agreement
- Bates, Cater & Company – Engagement Letter for Annual Audit

XI. OTHER ITEMS

- Lumpkin County Water & Sewerage Authority – Future Water Demands Evaluation
- Park & Recreation – Revised Procedures for Community Center Facility Rental
- Park & Recreation – Athletic Facility Rental Procedures
- Lumpkin County Hospital Authority – Cases for Review/Approval 12/2005

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- Wrecker Services Application Renewals
 1. Hardin Bros. Towing
 2. Poore's Service Center & Wrecker Service
 3. Steve Davis Towing & Recovery
 4. Ken's Wrecker Service
 5. Anderson's Garage
 6. Walter Norrell d/b/a/ Norrell Paint & Body
- Buffalo Road – Request for Road Abandonment

XII. COMMENTS

- COUNTY MANAGER
- CHAIRMAN
- COMMISSIONERS
- COUNTY ATTORNEY
- PUBLIC

XIII. ANNOUNCEMENTS

Future Board Meetings:

Town Hall Meeting – Park & Rec. Community Center
Board Work Session – City Hall
Board Meeting – City Hall

Jan. 24, 2006 at 7:30 p.m.
Feb. 2, 2006 at 9:00 a.m.
Feb. 16, 2006 at 9:00 a.m.

XIV. ADJOURN

Chairman Gooch

**MINUTES OF THE REGULAR MONTHLY MEETING OF THE
LUMPKIN COUNTY BOARD OF COMMISSIONERS**

January 19, 2006

CALL TO ORDER

The meeting was called to order by Chairman Gooch at 6:04 p.m. Commissioners present were Stephen Gooch, John Raber, Deborah Hutcheson, Clarence Stowers, and Marvin Martin. Commissioner Martin opened the meeting with prayer. Chairman Gooch requested that everyone stand and asked Commissioner Stowers to lead the group in the Pledge of Allegiance.

APPROVAL OF AGENDA

Motion

John Raber made a motion to adopt the agenda. This motion was seconded by Deborah Hutcheson and approved by all district commissioners present.

REQUEST FOR SIGNAGE PERMIT

Mr. Gary Wert, Vice President of Maxwell Properties Incorporated presented his proposal for a signage variance for the Home Depot/Grocery Store properties at the corner of Highway 60 and Long Branch Road. Mr. Wert proposed a 25-foot tall monument sign on Long Branch Road that would consist of 7 X 7 (49 sq. ft.) Home Depot signage panel in addition to a 7 X 7 (49 sq. ft.) panel that initially would be used by small retail tenants but would be transferred to a grocery store tenant at the appropriate time. On Highway 60 Mr. Wert proposed a 30-foot tall monument sign with 49 square foot Home Depot signage panel and a 49 square foot retail shop/grocery panel.

Commissioner Hutcheson asked Mr. Wert how many other parcels are planned for this site. Mr. Wert said there are 2 out parcels with a total of 16 tenants.

Motion

Commissioner Raber made a motion to deny the request and go with the Planning Commission requirements. This motion did not receive a second.

Motion

Deborah Hutcheson made a motion to allow a sign on Longbranch Road of 20 feet in height and a sign on Highway 60 of 25 feet in height both signs being 7 X 7. Clarence Stowers seconded the motion.

The board members, county attorney and Mr. Wert discussed Commissioner Hutcheson's motion. Chairman Gooch asked if there were any public comments on this issue. Comments in favor and against the proposed sign variance were received from a number of citizens in attendance at the meeting.

Deborah Hutcheson asked to withdraw her motion. No action was taken.

Motion

John Raber made a motion to deny the requested signage variance as proposed by Mr. Gary Wert representing Maxwell Properties, Inc. This motion was seconded by Deborah Hutcheson and approved by all district commissioners present. Motion carried.

January 19, 2006
Page 2

Chairman Gooch called for a break from 7:20 p.m. to 7:30 p.m.

Motion

Deborah Hutcheson made a motion to allow a second sign 20-feet in height. Before receiving a second Commissioner Hutcheson withdrew her motion.

Mr. Wert then asked to withdraw his request.

Chairman Gooch asked the board if Magistrate Judge Jeff Lowe could be moved up on the agenda due to an emergency that he needed to attend to. The board members agreed to this change.

Magistrate – Request for Judge Position Part-time to Full-time and Computer Software Program

Magistrate Judge Jeff Lowe asked for funding to allow Judge Gerald Edmondson's status be changed from part-time to full-time. Judge Lowe also requested funding for a computer software program for the Magistrate Court System.

Motion

John Raber made a motion to accept Judge Lowe's request to change the part-time judge position to a full-time position and the purchase of computer software program for the Magistrate Court System. Clarence Stowers seconded this motion. After a brief discussion all district commissioners present approved this motion. Motion carried.

APPROVAL OF MINUTES

Motion

Marvin Martin made a motion to approve the minutes. This motion did not receive a second. Commissioner Hutcheson stated she had not had an opportunity to review the minutes. No action taken.

Motion

John Raber made a motion to delay the adoption of the minutes until the next called meeting. This motion was seconded by Deborah Hutcheson and approved by all district commissioners present. Motion carried.

REPORTS

Reports were presented by Department Heads and are on file in the Board of Commissioners Office.

OLD BUSINESS

Riverflow Property Owners Association – Request for Road Acceptance

County Manger Stan Kelley stated that he and Public Works Director Charles Trammell had inspected private roads Rainmore Drive, Hunters Run, Cascade Drive, Green Leaf and Brookhaven in Riverflow Subdivision. Mr. Kelley stated the roads do not meet the requirements for school buses to travel.

Mr. Polland representing the Riverflow Property Owners Association said there are some problems with the homeowners in the subdivision continuing to support the homeowners association due to the fact some of the roads in the subdivision are county and some are private.

Motion

Marvin Martin made a motion to deny the request from the Riverflow Property Owners Association. This motion was seconded by John Raber and approved by Commissioners Hutcheson, Martin and Raber. Commissioner Stowers voted against. Motion carried.

Lumpkin County Emergency Med. – Ballot for Accepting or Rejecting Joint Chapter 11 Plan of Reorganization of the Debtors (CLC of Dahlonga LLC d/b/a/ Gold City CLC)

Acceptance of this ballot authorizes the claim against the Debtor in the total amount of \$2,145.00.

Motion

Deborah Hutcheson made a motion to accept. This motion was seconded by Clarence Stowers and approved by all district commissioners present. Motion carried.

Finance – 2005 Revenue/Expense Totals Presented as Unaudited

Finance Director Allison Martin announced that for the third year Lumpkin County has received Certificate of Achievement for Excellence in Financial Report. (CAFR) awarded by the Government Finance Officers Association. The plaque will be shipped to Lumpkin County in about eight weeks.

Ms. Martin gave an overview of the unaudited revenues/expense for the year 2005. She will be preparing a budget amendment for the next work session that will adjust some of the over and under budgeted items.

GIS Department – Request for 2006 Imagery/Contour and Staff Position

Mr. Blair Housley of the GIS Department requested funding of an additional GIS Technician staff member for an estimated cost of \$54,000.00 the first year. Mr. Housley also presented a request to update the County's Imagery inventory. The last imagery was taken in 2001 and is now five years old. At the same time to save cost and increase possible revenue generated from the sale of the data the department is requesting a ten-foot contour interval. The current contour level is from USGS scanned data at 30 meters from almost 20 years ago. The City of Dahlonga and North Georgia College and State University have both agreed to share in a portion of the cost of this project. The total cost would be \$37,500.00 Lumpkin County, \$17,500.00 City of Dahlonga, and \$10,000.00 NGCSU, for a total of \$65,000.00.

Discussion followed regarding the cost to do the contours at 4-foot intervals. Mr. Housley said the cost for contours only at 10-foot intervals would be \$16,000.00 and 4-foot intervals would be \$85,000.00.

Motion

Deborah Hutcheson made a motion that we go the fly over imagery and contour at 10-foot intervals. John Raber seconded this motion. Deborah Hutcheson then amended her motion to include the staff person. After further discussion Commissioner Hutcheson asked to withdraw her motion. No action taken.

Motion

Marvin Martin made a motion to fund the fly over and then come back to look at funding the staff position. Deborah Hutcheson seconded this motion. Commissioners Hutcheson, Stowers and Martin approved this motion. Commissioner Raber voted no. Motion carried.

Planning – Request for New Position

Planning Director Tim Shick presented a request for funding and an additional staff member for the Planning Department. Mr. Shick requested the full use of the budgeted, but unused funds from the 2005 Environmental Enforcement and Education Position, approximately \$33,906.00 for the purposes of hiring additional staff to support the growing work load. Mr. Shick stated the Planning Department needs an enforcement officer and a clerk.

Motion

Clarence Stowers made a motion to approve the new position of planning clerk for the estimated total of \$32,850.00. This motion was seconded by John Raber and approved by all district commissioners present. Motion carried.

January 19, 2006

Page 4

Sheriff – Request

Sheriff Mark McClure asked that his request be tabled until the final 2005 budget figures have been established.

Chairman Gooch called for a break from 8:56 p.m. to 9:06 p.m.

NEW BUSINESS

Election of Lumpkin County Board of Commissioners Vice-Chair

Chairman Gooch asked for nominations for the position of Vice-Chair.

Clarence Stowers made a motion nominating Deborah Hutcheson as Vice-Chair of the Lumpkin County Board of Commissioners. This motion was seconded by Marvin Martin and approved by Commissioners Raber, Stowers and Martin.

RESOLUTIONS

RESOLUTION 2006-03

A resolution to ratify and approve the mileage rate for reimbursement for approved travel by private vehicle under the provision of the Lumpkin County Travel Policy. The mileage reimbursement rate for approved travel in privately owned vehicle would be \$0.445 per mile.

Motion

John Raber made a motion to approve this resolution. The motion was seconded by Marvin Martin and approved by all district commissioners present. Motion carried.

RESOLUTION 2006-04

A resolution to provide for Workers' Compensation Insurance coverage for Elected Officials; to repeal resolutions or parts of resolutions in conflict; and for other purposes. While performing their elected duties: the Board of Commissioners, Sheriff, Probate Judge, Magistrate Judge, Clerk of Court, Tax Commissioner and Coroner shall be covered under the Workers' Compensation laws of the State of Georgia as stated in O.C.G.A. § 34-9-1.

Motion

Marvin Martin made a motion to approve this resolution. The motion was seconded by John Raber and approved by all district commissioners present. Motion carried.

RESOLUTION 2006-05

A resolution to provide for Workers' Compensation Insurance coverage for Volunteer Fire Fighters and Volunteer Emergency/Rescue Workers; to repeal resolutions or parts of resolutions in conflict; and for other purposes. Volunteer Firemen and Emergency/Rescue Workers of Lumpkin County shall be covered under the Association County Commissioners of Georgia Group Self-Insured Workers' Compensation Fund. While performing their duties they shall be covered and shall be subject to the workers' compensation laws of the State of Georgia.

Motion

John Raber made a motion to approve this resolution. The motion was seconded by Marvin Martin and approved by all district commissioners present. Motion carried.

RESOLUTION 2006-06

A resolution to approve participation in the National Incident Management System and to implement the Unified Command System as established by O.C.G.A. § 38-3-57.

Motion

Marvin Martin made a motion to approve this resolution. The motion was seconded by Clarence Stowers and approved by all district commissioners present. Motion carried.

RESOLUTION 2006-07

A resolution to establish the 2006 Holiday Schedule for Lumpkin County Government Operations.

Motion

Marvin Martin made a motion to approve this resolution. The motion was seconded by Clarence Stowers and approved by all district commissioners present.

RESOLUTION 2006-08

A resolution to endorse and support House Bill 962, the "Fair Annexation Act." House Bill 962 would establish state policy regarding annexation specifically setting out legislative intent as recognizing the annexation is appropriate when cities are to provide services unavailable to unincorporated areas, but not when the primary purpose is raising revenue, particularly at the expense of unincorporated residents and school districts. The bill also recognizes that, under current law, cities have near unilateral power to annex without considering the impact of annexation on county or school district revenues, on the delivery of services by the county or school district, on infrastructure investments made by the county or school district, or on the comprehensive plan adopted by the county and which reflects the desires and goals of the community

Motion

Deborah Hutcheson made a motion to approve this resolution. The motion was seconded by Marvin Martin and approved by all district commissioners present. Motion carried.

RESOLUTION 2006-09

A resolution setting the qualifying fees for candidates seeking election to the offices of Board of Commissioners District No. 3 and District No. 4, and also setting qualifying fees for candidates seeking election to the offices of Board of Education Chairman, Post 2 and Post 3.

Motion

Clarence Stowers made a motion to approve this resolution. John Raber seconded this motion. County Attorney Horne stated that Resolution 2006-09 needed to be corrected to reflect the correct qualifying fees. No action taken.

Motion

Clarence Stowers made a motion to amend this resolution to reflect the qualifying fee as required by state statute. The motion was seconded by John Raber and approved by all district commissioners present. Motion carried.

CONTRACTS

Development Authority of Lumpkin County

Intergovernmental Agreement between the Lumpkin County Board of Commissioners and the Development Authority of Lumpkin County. The agreement covers financial services, county contributions to authority, county travel and expense regulations, annual audit, liability Insurance, employee benefits, pension and retirement plan ineligibility, and facilities and equipment.

Term: This agreement shall automatically renew annually unless altered or terminated by either party. Either party may terminate this agreement in writing with 60 days notice.

Motion

John Raber made a motion to approve this contract. This motion was seconded by Clarence Stowers and approved by Commissioners Raber, Stowers and Martin. Commission Hutcheson abstained. Motion carried.

Greater Georgia Life Insurance Company

Amendment to contract to provide \$30,000.00 Group Life Insurance to all eligible full-time employees.

Motion

Deborah Hutcheson made a motion to approve this contract. This motion was seconded by Clarence Stowers and approved by all district commissioners present. Motion carried.

Jimmy C. Woods – Lumpkin County-Wimpy Airport

Agreement for lease of Tie Down #9 at Lumpkin County-Wimpy Airport.

Term: 1/01/2006 to 12/31/2006

Amount: \$15.00 per month

Ray Koehn – Lumpkin County-Wimpy Airport

Agreement for lease of Tie Down #5 at Lumpkin County-Wimpy Airport.

Term: 1/01/2006 to 12/31/2006

Amount: \$15.00 per month

Motion

Clarence Stowers made a motion to approve both tie down agreements. This motion was seconded by Marvin Martin and approved by all district commissioners present. Motion carried.

Lee Ann Roy Independent Writer

County Line Newsletter, Lumpkin County Government annual agreement for writing and project management services.

Term: Annual (1/01/2006 – 12/31/2006)

Amount: \$2,400.00

Project Total (annual investment, all services, for Lumpkin County): \$4,590.00.

Motion

Marvin Martin made a motion to approve this agreement. This motion was seconded by Clarence Stowers and approved by all district commissioners present. Motion carried.

J & B Enterprises (Louver Shop)

Memorandum of Understanding amending the sales agreement with J & B Enterprises. entered into August 7, 2003 for the sale of 3 acres of land on Chesterra Road.

Motion

Clarence Stowers made a motion to approve this Memorandum of Understanding. This motion was seconded by Marvin Martin and approved by all district commissioners present. Motion carried.

Classic Cleaners

Annual lease agreement for lease of the county building located at 235 East Main Street, Dahlonega Georgia by Mr. Paul A. Gim.

Motion

John Raber made a motion to increase the rent from \$700.00 to \$1,000.00 with the understanding either party may have the option to cancel with a 30-day notice. This motion was seconded by Deborah Hutcheson and approved by all district commissioners present. Motion carried.

Bates, Cater & Company

Engagement letter for annual audit confirming the understanding of services provided by Bates, Carter & Co. Amount: \$59,834.00 including any out of pocket costs, and will be billed every two weeks. This fee includes the report on SPLOST. It is based on Lumpkin County staff completing the "Items Needed: list provide by Bates, Carter & Co. The fee does not cover preparation of extra reports.

Motion

Marvin Martin made a motion to approve this agreement. This motion was seconded by Clarence Stowers and approved by all district commissioners present. Motion carried.

OTHER ITEMS

Lumpkin County Water & Sewerage Authority - Future Water Demands Evaluation

Lumpkin County Water & Sewerage Authority Director Dudley Owens presented a brief overview of the Future Water Demands Evaluation. The purpose of the draft technical memorandum is to document the development of future water demands for the unincorporated portion of Lumpkin County. Jordan, Jones & Goulding, Inc. used the Lumpkin County Comprehensive Plan data and recent water billing records provided by the Lumpkin County Water and Sewerage Authority to project the future population of the County and the water demands associated with that population. Mr. Owens encouraged the board to review the entire document.

Park & Recreation – Revised Procedures for Community Center Facility Rental

Park & Recreation Director Rob Staples presented the revised procedures for rental of the Community Center Facility. The Park & Recreation Board has approved the new procedures, which included no tobacco products being allowed on or around any park facility.

Park & Recreation – Athletic Facility Rental Procedures

Park & Recreation Director Rob Staples presented the revised procedures for rental of the Athletic Facility. The Park & Recreation Board has approved the new policy governing athletic field and facility usage in an effort to coordinate the demands place on Lumpkin County Parks & Recreation Department fields and facilities. The new procedures strictly prohibit the use of alcohol and tobacco at park facilities.

Motion

Marvin Martin made a motion to approve the revised Community Center Facility Rental Procedures and Athletic Facility Rental Procedures. This motion was seconded by John Raber and approved by Commissioners Raber and Martin. Commissioner Stowers voted no. Commissioner Hutcheson did not vote. Motion carried.

Lumpkin County Hospital Authority – Cases for Review/Approval 12/2005

Chairman Gooch presented to the Board of Commissioners a list of indigent health care cases as approved by the Lumpkin County Hospital Authority Board.

Motion

John Raber made a motion to approve the payment of the indigent health care cases as presented. This motion was seconded by Marvin Martin and approved by all district commissars present. Motion carried.

Wrecker Services Application Renewals

Chairman Gooch presented the following wrecker services applications for renewal:

- | | |
|---|---|
| 1. Hardin Bros. Towing | 4. Ken's Wrecker Service |
| 2. Poore's Service Center & Wrecker Service | 5. Anderson's Garage |
| 3. Steve Davis Towing & Recovery | 6. Walter Norrell d/b/a/ Norrell Paint & Body |

Motion

Deborah Hutcheson made a motion to approve the wrecker services applications as presented. This motion was seconded by Clarence Stowers and approved by all district commissioners present. Motion carried.

Buffalo Road – Request for Road Abandonment

Chairman Gooch asked to be recused from this item. Vice-Chairman Hutcheson presented the request for road abandonment. Mr. Zane Welchel owner of all the land and property served by East Buffalo Drive off of Auraria Road in Lumpkin County requested the county consider abandonment of its right-of-way along East Buffalo Drive. Vice-chairman Hutcheson asked for a motion.

Motion

Clarence Stowers made a motion to abandon East Buffalo Road. This motion was seconded by Marvin Martin and approved by Commissioners Raber, Stowers and Martin. Motion carried.

COMMENTS

COUNTY MANAGER

County Manager Stan Kelley stated that the property survey of the Community House located on North Park Street has been completed. Chairman Gooch requested a copy of the new property survey be sent to the Board of Education.

Mr. Kelley said that the mapping software has been installed at the E911 Center. The staff at the E911 Center has received training and the new mapping software is currently being used.

CHAIRMAN

Chairman Gooch stated that he along with Commissioner Hutcheson and County Manager Kelley had met with Dawsonville Mayor Joe Lane Cox regarding the request for annexation received from the City of Dawsonville. Chairman Gooch said the City of Dawsonville indicated that there are no immediate plans to develop this property and there is a chance something can be worked out. Mayor Cox offered to prepare an intergovernmental agreement for the board to review. Commissioner Hutcheson said that there could be other properties that will be making similar requests in the future.

Chairman Gooch said that the sign issue needed to be completed and suggested that the board have a special called meeting in the next week. Discussion followed with the board members and citizens present. The board agreed to address the signage issues at a special called meeting 6:00 p.m., Monday, January 30, 2005 at City Hall.

COMMISSIONERS

Commissioner Raber said he would like to have the board address the following issues:

1. Water & Sewerage Authority run by the City of Dahlonega
2. Blackburn Park
3. County Building Study
4. Liquor by the drink in the county

Commissioner Raber also announced that local radio station 104.3 had been sold.

COUNTY ATTORNEY

No comments.

PUBLIC COMMENTS

Citizen and Development Authority Board Member Mr. Pete Burchett said he was very supportive of the needs of the Planning Department. He also feels that with the number of new homes anticipated the needs are there for another building inspector and another compliance officer is needed to enforce regulations.

January 19, 2006
Page 9

ADJOURN

Chairman Gooch asked for a motion to adjourn at 10:56 p.m. Deborah Hutcheson made a motion to adjourn. The motion was seconded by Clarence Stowers and approved by all district commissioners present.

2/16/2006
Date

Stephen W. Gooch
Stephen W. Gooch, Chairman
Lumpkin County Board of Commissioners

Attest:

Ruth A. Bohac
Ruth A. Bohac
Clerk, Lumpkin County